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| UNITED STATES DISTRICT COURT |
|---------------------------------|
| JORTHERN DISTRICT OF CALIFORNIA |

CHARLES RIDGEWAY, ET AL., Plaintiffs,

v.

WAL-MART STORES INC.,

Defendant.

Case No. <u>08-cv-05221-SI</u>

JURY VERDICT FORMS

| 1 | Please carefully read and complete this form in the order in which it is presented. |
|----|---|
| 2 | |
| 3 | PART I. CLAIMS OF ALL CLASS MEMBERS EXCEPT CLASS REPRESENTATIVES |
| 4 | |
| 5 | MINIMUM WAGE |
| 6 | Question No. 1: |
| 7 | Were the class members paid less than the minimum wage by Wal-Mart for some or all |
| 8 | hours worked for any of the following tasks? |
| 9 | (A) Performing Pre-Trip Inspections |
| 10 | Yes No |
| 11 | (B) Performing Post-Trip Inspections |
| 12 | Yes No |
| 13 | (C) Fueling the Tractor |
| 14 | Yes No |
| 15 | (D) Washing the Tractor/Trailer |
| 16 | Yes No |
| 17 | (E) Weighing the Tractor/Trailer at an Independent Weigh Station |
| 18 | Yes No |
| 19 | (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh |
| 20 | Station |
| 21 | Yes No |
| 22 | (G) Undergoing Department of Transportation Roadside Inspections |
| 23 | Yes No |
| 24 | (H) Meeting with a Driver Coordinator |
| 25 | Yes No |
| 26 | (I) Taking 10-minute Rest Breaks |
| 27 | Yes No |
| 28 | |

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| | 1 | (J) Taking 10-hour Layovers | | | | | | |
|--------|----|---|--|--|--|--|--|--|
| | 2 | Yes No | | | | | | |
| | 3 | (K) Waiting at a Vendor or Store Location | | | | | | |
| | 4 | Yes No | | | | | | |
| | 5 | If your answer to any task in Question No. 1 is "yes," then proceed to Question No. 2. If you | | | | | | |
| | 6 | answered "no" for all tasks, skip Question Nos. 2-4 and proceed to Part II below. | | | | | | |
| | 7 | | | | | | | |
| | 8 | Question No. 2: | | | | | | |
| | 9 | For any of the tasks that you answered "yes" in Question No. 1, what is the amount of | | | | | | |
| | 10 | wages owed for hours worked at pay less than the minimum wage? | | | | | | |
| | 11 | (A) Performing Pre-Trip Inspections: \$ | | | | | | |
| 1 | 12 | (B) Performing Post-Trip Inspections: \$ | | | | | | |
| | 13 | (C) Fueling the Tractor: \$ | | | | | | |
| | 14 | (D) Washing the Tractor/Trailer: \$ | | | | | | |
| 1211 | 15 | (E) Weighing the Tractor/Trailer: \$ | | | | | | |
| ; ; | 16 | (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh | | | | | | |
| | 17 | Station: \$ | | | | | | |
| | 18 | (G) Undergoing Department of Transportation Roadside Inspections: \$ | | | | | | |
| | 19 | (H) Meeting with a Driver Coordinator: \$ | | | | | | |
| | 20 | (I) Taking 10-minute Rest Breaks: \$ | | | | | | |
| | 21 | (J) Taking 10-hour Layovers: \$ | | | | | | |
| | 22 | (K) Waiting at a Vendor or Store Location: \$ | | | | | | |
| | 23 | | | | | | | |
| | 24 | | | | | | | |
| | 25 | | | | | | | |
| | 26 | | | | | | | |
| | 27 | | | | | | | |

28

CIVIL PENALTIES

Question No. 3:

Did Wal-Mart intentionally fail to pay minimum wage to class members, not including the class representatives, in any pay period from October 10, 2007 to October 15, 2015?

Yes _____ No ____

Question No. 4:

For how many pay periods (total, for all class members, not including the class representatives) did Wal-Mart fail to pay minimum wage to class members from October 10, 2007 to October 15, 2015?

____ pay periods

PART II. CHARLES RIDGEWAY

| | MINIMUM WAGE |
|-------------------------------------|--|
| Question No. 5: | |
| Was Charles Ridgeway pai | d less than the minimum wage by Wal-Mart for some or all |
| hours worked for any of the followi | ng tasks? |
| (A) Performing Pre-Trip Ins | pections |
| Yes | No |
| (B) Performing Post-Trip In | spections |
| Yes | No |
| (C) Fueling the Tractor | |
| Yes | No |
| (D) Washing the Tractor/Tra | niler |
| Yes | No |
| (E) Weighing the Tractor/Tr | ailer at an Independent Weigh Station |
| Yes | No |
| (F) Performing Adjustments | after Weighing the Tractor/Trailer at an Independent Weigh |
| Station | |
| Yes | No |
| (G) Undergoing Department | of Transportation Roadside Inspections |
| Yes | No |
| (H) Meeting with a Driver C | Coordinator |
| Yes | No |
| (I) Taking 10-minute Rest B | reaks |
| Yes | No |
| (J) Taking 10-hour Layovers | S |
| Yes | No |
| (K) Waiting at a Vendor or S | Store Location |

No ____

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28

Northern District of California United States District Court

If your answer to any task in Question No. 5 is "yes," then proceed to Question No. 6. If you answered "no" for all tasks, skip Question No. 6 and proceed to Part III below. **Question No. 6:** For any of the tasks that you answered "yes" in Question No. 5, what is the amount of wages owed to Charles Ridgeway for hours worked at pay less than the minimum wage? (A) Performing Pre-Trip Inspections: \$_____ (B) Performing Post-Trip Inspections: \$_____ (C) Fueling the Tractor: \$_____ (D) Washing the Tractor/Trailer: \$_____ (E) Weighing the Tractor/Trailer: \$_____ (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh Station: \$ (G) Undergoing Department of Transportation Roadside Inspections: \$_____ (H) Meeting with a Driver Coordinator: \$_____ (I) Taking 10-minute Rest Breaks: \$_____ (J) Taking 10-hour Layovers: \$_____ (K) Waiting at a Vendor or Store Location: \$_____

Northern District of California United States District Court

PART III. JAIME FAMOSO

MINIMUM WAGE

Question No. 7:

Yes _____

| | Was Jaime | Famoso | paid le | ss than | the | minimum | wage by | Wal-N | Mart fo | r some | or | all | hours |
|-------|--------------|------------|---------|---------|-----|---------|---------|-------|---------|--------|----|-----|-------|
| worke | d for any of | the follow | ving ta | ks? | | | | | | | | | |

| - | | |
|---------------------------|--|---------------|
| ed for any of the followi | ig tasks? | |
| (A) Performing Pre-Tr | ip Inspections | |
| Yes | No | |
| (B) Performing Post-T | rip Inspections | |
| Yes | No | |
| (C) Fueling the Tracto | • | |
| Yes | No | |
| (D) Washing the Trace | or/Trailer | |
| Yes | No | |
| (E) Weighing the Trac | tor/Trailer at an Independent Weigh Station | |
| Yes | No | |
| (F) Performing Adjust | ments after Weighing the Tractor/Trailer at an | n Independent |
| Station | | |
| Yes | No | |
| (G) Undergoing Depart | tment of Transportation Roadside Inspections | S |
| Yes | No | |
| (H) Meeting with a Dr | ver Coordinator | |
| Yes | No | |
| (I) Taking 10-minute l | est Breaks | |
| Yes | No | |
| (J) Taking 10-hour La | /overs | |
| Yes | No | |
| (K) Waiting at a Vend | or or Store Location | |

Weigh

| 1 | If your answer to any task in Question No. 7 is "yes," then proceed to Question No. 8. If you |
|----|---|
| 2 | answered "no" for all tasks, skip Question Nos. 8-10 and proceed to Part IV below. |
| 3 | |
| 4 | Question No. 8: |
| 5 | For any of the tasks that you answered "yes" in Question No. 7, what is the amount of |
| 6 | wages owed to Jaime Famoso for hours worked at pay less than the minimum wage? |
| 7 | (A) Performing Pre-Trip Inspections: \$ |
| 8 | (B) Performing Post-Trip Inspections: \$ |
| 9 | (C) Fueling the Tractor: \$ |
| 10 | (D) Washing the Tractor/Trailer: \$ |
| 11 | (E) Weighing the Tractor/Trailer: \$ |
| 12 | (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh |
| 13 | Station: \$ |
| 14 | (G) Undergoing Department of Transportation Roadside Inspections: \$ |
| 15 | (H) Meeting with a Driver Coordinator: \$ |
| 16 | (I) Taking 10-minute Rest Breaks: \$ |
| 17 | (J) Taking 10-hour Layovers: \$ |
| 18 | (K) Waiting at a Vendor or Store Location: \$ |
| 19 | |
| 20 | CIVIL PENALTIES |
| 21 | Question No. 9: |
| 22 | Did Wal-Mart intentionally fail to pay minimum wage to Jaime Famoso, in any pay period |
| 23 | from October 10, 2007 to October 15, 2015? |
| 24 | Yes No |
| 25 | Question No. 10: |
| 26 | For how many pay periods did Wal-Mart fail to pay minimum wage to Jaime Famoso from |
| 27 | October 10, 2007 to October 15, 2015? |
| 28 | pay periods |

PART IV. JOSHUA HAROLD

| | MINIMUM WAGE |
|------------------------------------|--|
| Question No. 11: | |
| Was Joshua Harold paid le | ess than the minimum wage by Wal-Mart for some or all hours |
| worked for any of the following ta | sks? |
| (A) Performing Pre-Trip In | spections |
| Yes | No |
| (B) Performing Post-Trip I | nspections |
| Yes | No |
| (C) Fueling the Tractor | |
| Yes | No |
| (D) Washing the Tractor/Tr | railer |
| Yes | No |
| (E) Weighing the Tractor/T | Trailer at an Independent Weigh Station |
| Yes | No |
| (F) Performing Adjustment | s after Weighing the Tractor/Trailer at an Independent Weigh |
| Station | |
| Yes | No |
| (G) Undergoing Departmen | nt of Transportation Roadside Inspections |
| Yes | No |
| (H) Meeting with a Driver | Coordinator |
| Yes | No |
| (I) Taking 10-minute Rest | Breaks |
| Yes | No |
| (J) Taking 10-hour Layove | rs |
| Yes | No |
| (K) Waiting at a Vendor or | Store Location |

| 1 | If your answer to any task in Question No. 11 is "yes," then proceed to Question No. 12. If you |
|----|---|
| 2 | answered "no" for all tasks, skip Question Nos. 12-14 and proceed to Part V below. |
| 3 | |
| 4 | Question No. 12: |
| 5 | For any of the tasks that you answered "yes" in Question No. 11, what is the amount of |
| 6 | wages owed to Joshua Harold for hours worked at pay less than the minimum wage? |
| 7 | (A) Performing Pre-Trip Inspections: \$ |
| 8 | (B) Performing Post-Trip Inspections: \$ |
| 9 | (C) Fueling the Tractor: \$ |
| 10 | (D) Washing the Tractor/Trailer: \$ |
| 11 | (E) Weighing the Tractor/Trailer: \$ |
| 12 | (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh |
| 13 | Station: \$ |
| 14 | (G) Undergoing Department of Transportation Roadside Inspections: \$ |
| 15 | (H) Meeting with a Driver Coordinator: \$ |
| 16 | (I) Taking 10-minute Rest Breaks: \$ |
| 17 | (J) Taking 10-hour Layovers: \$ |
| 18 | (K) Waiting at a Vendor or Store Location: \$ |
| 19 | |
| 20 | CIVIL PENALTIES |
| 21 | Question No. 13: |
| 22 | Did Wal-Mart intentionally fail to pay minimum wage to Joshua Harold, in any pay period |
| 23 | from October 10, 2007 to October 15, 2015? |
| 24 | Yes No |
| 25 | Question No. 14: |
| 26 | For how many pay periods did Wal-Mart fail to pay minimum wage to Joshua Harold from |
| 27 | October 10, 2007 to October 15, 2015? |
| 28 | pay periods |
| | |

PART V. RICHARD BYERS

| | MINIMUM WAGE |
|-------------------------------------|--|
| Question No. 15: | |
| Was Richard Byers paid le | ss than the minimum wage by Wal-Mart for some or all hours |
| worked for any of the following tas | ks? |
| (A) Performing Pre-Trip Ins | spections |
| Yes | No |
| (B) Performing Post-Trip Ir | nspections |
| Yes | No |
| (C) Fueling the Tractor | |
| Yes | No |
| (D) Washing the Tractor/Tr | ailer |
| Yes | No |
| (E) Weighing the Tractor/T | railer at an Independent Weigh Station |
| Yes | No |
| (F) Performing Adjustment | s after Weighing the Tractor/Trailer at an Independent Weigh |
| Station | |
| Yes | No |
| (G) Undergoing Departmen | t of Transportation Roadside Inspections |
| Yes | No |
| (H) Meeting with a Driver (| Coordinator |
| Yes | No |
| (I) Taking 10-minute Rest I | Breaks |
| Yes | No |
| (J) Taking 10-hour Layover | rs · |
| Yes | No |
| (K) Waiting at a Vendor or | Store Location |

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1 If your answer to any task in Question No. 15 is "yes," then proceed to Question No. 16. If you 2 answered "no" for all tasks, skip Question No. 16 and proceed to Part VI below. 3 **Question No. 16:** 4 For any of the tasks that you answered "yes" in Question No. 15, what is the amount of 5 wages owed to Richard Byers for hours worked at pay less than the minimum wage? 6 7 (A) Performing Pre-Trip Inspections: \$_____ 8 (B) Performing Post-Trip Inspections: \$_____ (C) Fueling the Tractor: \$_____ 9 (D) Washing the Tractor/Trailer: \$_____ 10 (E) Weighing the Tractor/Trailer: \$_____ 11 (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh 12 13 Station: \$ (G) Undergoing Department of Transportation Roadside Inspections: \$_____ 14 15 (H) Meeting with a Driver Coordinator: \$_____ (I) Taking 10-minute Rest Breaks: \$_____ 16 (J) Taking 10-hour Layovers: \$_____ 17 18 (K) Waiting at a Vendor or Store Location: \$_____ 19 20

PART VI. DAN THATCHER

MINIMUM WAGE

| Question No. 17: | |
|-------------------------------|---|
| Was Dan Thatcher pa | aid less than the minimum wage by Wal-Mart for some or all hours |
| worked for any of the followi | ng tasks? |
| (A) Performing Pre-T | rip Inspections |
| Yes | No |
| (B) Performing Post-7 | Γrip Inspections |
| Yes | No |
| (C) Fueling the Tracto | or |
| Yes | No |
| (D) Washing the Trac | tor/Trailer |
| Yes | No |
| (E) Weighing the Trac | ctor/Trailer at an Independent Weigh Station |
| Yes | No |
| (F) Performing Adjust | tments after Weighing the Tractor/Trailer at an Independent Weigh |
| Station | |
| Yes | No |
| (G) Undergoing Depa | artment of Transportation Roadside Inspections |
| Yes | No |
| (H) Meeting with a D | river Coordinator |
| Yes | No |
| (I) Taking 10-minute | Rest Breaks |
| Yes | No |
| (J) Taking 10-hour La | ivovers |

No ____

No ____

Yes _____

Yes _____

(K) Waiting at a Vendor or Store Location

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United States District Court

| 1 | If your answer to any task in Question No. 17 is "yes," then proceed to Question No. 18. If you |
|----|---|
| 2 | answered "no" for all tasks, skip Question No. 18 and proceed to Part VII below. |
| 3 | |
| 4 | Question No. 18: |
| 5 | For any of the tasks that you answered "yes" in Question No. 17, what is the amount of |
| 6 | wages owed to Dan Thatcher for hours worked at pay less than the minimum wage? |
| 7 | (A) Performing Pre-Trip Inspections: \$ |
| 8 | (B) Performing Post-Trip Inspections: \$ |
| 9 | (C) Fueling the Tractor: \$ |
| 10 | (D) Washing the Tractor/Trailer: \$ |
| 11 | (E) Weighing the Tractor/Trailer: \$ |
| 12 | (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh |
| 13 | Station: \$ |
| 14 | (G) Undergoing Department of Transportation Roadside Inspections: \$ |
| 15 | (H) Meeting with a Driver Coordinator: \$ |
| 16 | (I) Taking 10-minute Rest Breaks: \$ |
| 17 | (J) Taking 10-hour Layovers: \$ |
| 18 | (K) Waiting at a Vendor or Store Location: \$ |
| 19 | |
| 20 | |
| 21 | |
| 22 | |
| | |

Yes _____

PART VII. WILLIE FRANKLIN

| | MINIMUM WAGE |
|---------------------------------|--|
| Question No. 19: | |
| Was Willie Franklin pa | id less than the minimum wage by Wal-Mart for some or all hours |
| worked for any of the following | g tasks? |
| (A) Performing Pre-Tri | p Inspections |
| Yes | No |
| (B) Performing Post-Tr | ip Inspections |
| Yes | No |
| (C) Fueling the Tractor | |
| Yes | No |
| (D) Washing the Tracto | or/Trailer |
| Yes | No |
| (E) Weighing the Tracto | or/Trailer at an Independent Weigh Station |
| Yes | No |
| (F) Performing Adjustn | nents after Weighing the Tractor/Trailer at an Independent Weigh |
| Station | |
| Yes | No |
| (G) Undergoing Depart | ment of Transportation Roadside Inspections |
| Yes | No |
| (H) Meeting with a Driv | ver Coordinator |
| Yes | No |
| (I) Taking 10-minute R | est Breaks |
| Yes | No |
| (J) Taking 10-hour Lay | overs |
| Yes | No |
| (K) Waiting at a Vendo | r or Store Location |

No ____

| 1 | If your answer to any task in Question No. 19 is "yes," then proceed to Question No. 20. If you |
|----|---|
| 2 | answered "no" for all tasks, skip Question Nos. 20-22 and proceed to Part VIII below. |
| 3 | |
| 4 | Question No. 20: |
| 5 | For any of the tasks that you answered "yes" in Question No. 19, what is the amount of |
| 6 | wages owed to Willie Franklin for hours worked at pay less than the minimum wage? |
| 7 | (A) Performing Pre-Trip Inspections: \$ |
| 8 | (B) Performing Post-Trip Inspections: \$ |
| 9 | (C) Fueling the Tractor: \$ |
| 10 | (D) Washing the Tractor/Trailer: \$ |
| 11 | (E) Weighing the Tractor/Trailer: \$ |
| 12 | (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh |
| 13 | Station: \$ |
| 14 | (G) Undergoing Department of Transportation Roadside Inspections: \$ |
| 15 | (H) Meeting with a Driver Coordinator: \$ |
| 16 | (I) Taking 10-minute Rest Breaks: \$ |
| 17 | (J) Taking 10-hour Layovers: \$ |
| 18 | (K) Waiting at a Vendor or Store Location: \$ |
| 19 | |
| 20 | CIVIL PENALTIES |
| 21 | Question No. 21: |
| 22 | Did Wal-Mart intentionally fail to pay minimum wage to Willie Franklin, in any pay |
| 23 | period from October 10, 2007 to October 15, 2015? |
| 24 | Yes No |
| 25 | Question No. 22: |
| 26 | For how many pay periods did Wal-Mart fail to pay minimum wage to Willie Franklin |
| 27 | from October 10, 2007 to October 15, 2015? |
| 28 | pay periods |

PART VIII. TIM OPITZ

| MINIMUM WAGE | | |
|--------------------------------------|--|--|
| Question No. 23: | | |
| Was Tim Opitz paid less th | nan the minimum wage by Wal-Mart for some or all hours | |
| worked for any of the following task | s? | |
| (A) Performing Pre-Trip Insp | pections | |
| Yes | No | |
| (B) Performing Post-Trip Ins | pections | |
| Yes | No | |
| (C) Fueling the Tractor | | |
| Yes | No | |
| (D) Washing the Tractor/Tra | iler | |
| Yes | No | |
| (E) Weighing the Tractor/Tra | niler at an Independent Weigh Station | |
| Yes | No | |
| (F) Performing Adjustments | after Weighing the Tractor/Trailer at an Independent Weigh | |
| Station | | |
| Yes | No | |
| (G) Undergoing Department | of Transportation Roadside Inspections | |
| Yes | No | |
| (H) Meeting with a Driver Co | oordinator | |
| Yes | No | |
| (I) Taking 10-minute Rest Br | reaks | |
| Yes | No | |
| (J) Taking 10-hour Layovers | | |
| Yes | No | |
| (K) Waiting at a Vendor or S | tore Location | |

| If your answer to any task in Question No. 23 is "yes," then proceed to Question No. 24. If you |
|---|
| answered "no" for all tasks, skip Question Nos. 24-26 and proceed to Part IX below. |
| |
| Question No. 24: |
| For any of the tasks that you answered "yes" in Question No. 23, what is the amount of |
| wages owed to Tim Opitz for hours worked at pay less than the minimum wage? |
| (A) Performing Pre-Trip Inspections: \$ |
| (B) Performing Post-Trip Inspections: \$ |
| (C) Fueling the Tractor: \$ |
| (D) Washing the Tractor/Trailer: \$ |
| (E) Weighing the Tractor/Trailer: \$ |
| (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh |
| Station: \$ |
| (G) Undergoing Department of Transportation Roadside Inspections: \$ |
| (H) Meeting with a Driver Coordinator: \$ |
| (I) Taking 10-minute Rest Breaks: \$ |
| (J) Taking 10-hour Layovers: \$ |
| (K) Waiting at a Vendor or Store Location: \$ |
| |
| CIVIL PENALTIES |
| Question No. 25: |
| Did Wal-Mart intentionally fail to pay minimum wage to Tim Opitz, in any pay period |
| from October 10, 2007 to October 15, 2015? |
| Yes No |
| Question No. 26: |
| For how many pay periods did Wal-Mart fail to pay minimum wage to Tim Opitz from |
| October 10, 2007 to October 15, 2015? |
| pay periods |
| |

PART IX. FARRIS DAY

| MINIMUM WAGE | | |
|---|--|--|
| Question No. 27: | | |
| Was Farris Day paid less than the minimum wage by Wal-Mart for some or all hours | | |
| worked for any of the following tasks? | | |
| (A) Performing Pre-Trip Inspections | | |
| Yes No | | |
| (B) Performing Post-Trip Inspections | | |
| Yes No | | |
| (C) Fueling the Tractor | | |
| Yes No | | |
| (D) Washing the Tractor/Trailer | | |
| Yes No | | |
| (E) Weighing the Tractor/Trailer at an Independent Weigh Station | | |
| Yes No | | |
| (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh | | |
| Station | | |
| Yes No | | |
| (G) Undergoing Department of Transportation Roadside Inspections | | |
| Yes No | | |
| (H) Meeting with a Driver Coordinator | | |
| Yes No | | |
| (I) Taking 10-minute Rest Breaks | | |
| Yes No | | |
| (J) Taking 10-hour Layovers | | |
| Yes No | | |
| (K) Waiting at a Vendor or Store Location | | |

| 1 | If your answer to any task in Question No. 27 is "yes," then proceed to Question No. 28. If you |
|----|---|
| 2 | answered "no" for all tasks, skip Question Nos. 28-30 and proceed to Part X below. |
| 3 | |
| 4 | Question No. 28: |
| 5 | For any of the tasks that you answered "yes" in Question No. 27, what is the amount of |
| 6 | wages owed to Farris Day for hours worked at pay less than the minimum wage? |
| 7 | (A) Performing Pre-Trip Inspections: \$ |
| 8 | (B) Performing Post-Trip Inspections: \$ |
| 9 | (C) Fueling the Tractor: \$ |
| 10 | (D) Washing the Tractor/Trailer: \$ |
| 11 | (E) Weighing the Tractor/Trailer: \$ |
| 12 | (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh |
| 13 | Station: \$ |
| 14 | (G) Undergoing Department of Transportation Roadside Inspections: \$ |
| 15 | (H) Meeting with a Driver Coordinator: \$ |
| 16 | (I) Taking 10-minute Rest Breaks: \$ |
| 17 | (J) Taking 10-hour Layovers: \$ |
| 18 | (K) Waiting at a Vendor or Store Location: \$ |
| 19 | |
| 20 | CIVIL PENALTIES |
| 21 | Question No. 29: |
| 22 | Did Wal-Mart intentionally fail to pay minimum wage to Farris Day, in any pay period |
| 23 | from October 10, 2007 to October 15, 2015? |
| 24 | Yes No |
| 25 | Question No. 30: |
| 26 | For how many pay periods did Wal-Mart fail to pay minimum wage to Farris Day from |
| 27 | October 10, 2007 to October 15, 2015? |
| 28 | pay periods |

PART X. KARL MERHOFF

| MINIMUM WAGE | | |
|--------------------------------------|--|--|
| Question No. 31: | | |
| Was Karl Merhoff paid less | than the minimum wage by Wal-Mart for some or all hours | |
| worked for any of the following task | cs? | |
| (A) Performing Pre-Trip Insp | pections | |
| Yes | No | |
| (B) Performing Post-Trip Inspections | | |
| Yes | No | |
| (C) Fueling the Tractor | | |
| Yes | No | |
| (D) Washing the Tractor/Tra | iler | |
| Yes | No | |
| (E) Weighing the Tractor/Tra | ailer at an Independent Weigh Station | |
| Yes | No | |
| (F) Performing Adjustments | after Weighing the Tractor/Trailer at an Independent Weigh | |
| Station | | |
| Yes | No | |
| (G) Undergoing Department | of Transportation Roadside Inspections | |
| Yes | No | |
| (H) Meeting with a Driver C | oordinator | |
| Yes | No | |
| (I) Taking 10-minute Rest Br | reaks | |
| Yes | No | |
| (J) Taking 10-hour Layovers | | |
| Yes | No | |
| (K) Waiting at a Vendor or S | tore Location | |

| 1 | If your answer to any task in Question No. 31 is "yes," then proceed to Question No. 32. If you |
|----|---|
| 2 | answered "no" for all tasks, stop here, answer no further questions, and have the presiding juror |
| 3 | sign and date this form. |
| 4 | Question No. 32: |
| 5 | For any of the tasks that you answered "yes" in Question No. 31, what is the amount of |
| 6 | wages owed to Karl Merhoff for hours worked at pay less than the minimum wage? |
| 7 | (A) Performing Pre-Trip Inspections: \$ |
| 8 | (B) Performing Post-Trip Inspections: \$ |
| 9 | (C) Fueling the Tractor: \$ |
| 10 | (D) Washing the Tractor/Trailer: \$ |
| 11 | (E) Weighing the Tractor/Trailer: \$ |
| 12 | (F) Performing Adjustments after Weighing the Tractor/Trailer at an Independent Weigh |
| 13 | Station: \$ |
| 14 | (G) Undergoing Department of Transportation Roadside Inspections: \$ |
| 15 | (H) Meeting with a Driver Coordinator: \$ |
| 16 | (I) Taking 10-minute Rest Breaks: \$ |
| 17 | (J) Taking 10-hour Layovers: \$ |
| 18 | (K) Waiting at a Vendor or Store Location: \$ |
| 19 | |
| 20 | CIVIL PENALTIES |
| 21 | Question No. 33: |
| 22 | Did Wal-Mart intentionally fail to pay minimum wage to Karl Merhoff, in any pay period |
| 23 | from October 10, 2007 to October 15, 2015? |
| 24 | Yes No |
| 25 | Question No. 34: |
| 26 | For how many pay periods did Wal-Mart fail to pay minimum wage to Karl Merhoff from |
| 27 | October 10, 2007 to October 15, 2015? |
| 28 | pay periods |

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Once you have completed the entire verdict form, please sign and date it below:

Dated:

Foreperson